

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ORBIN B. HARRIS,

Plaintiff,

v.

Case No. 11-CV-00872

**D. SALSBURY,
DAVID A. CLARKE, JR., and
RODNEY K. MALONE,**

Defendants,

ORDER

Defendants have a motion for summary judgment. However, the motion does not provide the proper notice required for cases with pro se plaintiffs. See Civil L.R. 56(a) (E.D. Wis.). The Civil Local Rules were amended November 19, 2010. Although defendants' motions appear to comply with and reference the old rules, they have provided the text of the local rules that have been modified and renumbered. They have also provided the wrong subsections of Federal Rule of Civil Procedure 56, which has been extensively edited.

THEREFORE, IT IS ORDERED that defendants' motion for summary judgment [DOCKET #46] is **DENIED**.

IT IS FURTHER ORDERED that on or before **Monday, October 1, 2012**, defendants may refile their motion and provide plaintiff with the proper notice required by Civil Local Rule 56(a). Defendants need not refile the documents in support of the motion.

Dated at Milwaukee, Wisconsin, this 24th day of September, 2012.

s/ Lynn Adelman

LYNN ADELMAN
District Judge